

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 11, 1994
AT 10:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:07 a.m. City Manager McGrory announced that Severo Esquivel has accepted the position of City Manager with the City of Pomona. The meeting was recessed by Mayor Golding at 10:39 a.m. to immediately meet in Closed Session in the twelfth floor conference room to discuss pending litigation and to reconvene the meeting at 2:00 p.m. The meeting was reconvened by Mayor Golding at 2:01 p.m. with Deputy Mayor Stevens and Council Members Stallings and Vargas not present. Mayor Golding adjourned the meeting at 2:07 p.m. to meet in Closed Session on Tuesday, January 18, 1994 at 9:30 a.m. in the twelfth floor conference room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Fishkin (mp/mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-not present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-3:

Darlene Davis thanked the Mayor and City Council members for reducing the business tax and submitted a copy of an article that appeared in the newspaper with respect to New York City using rotary phones for public use as a means of curtailing illegal activities and at the same time servicing the needs of the citizens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A022-059.)

ITEM-PC-4:

Rudolf H. Hochevar informed Council that he recently moved to the City and is looking for a showroom for his business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A060-104.)

ITEM-PC-5:

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Comments by Don Stillwell regarding the Secret Police of the Internal Revenue Service and financial terrorism.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-136.)

COUNCIL COMMENT:

ITEM-CC-2:

Council Member Stallings reported on her trip to Sacramento to testify on behalf of AB 1149 which would allow a pilot project on mobile recycling in Pacific Beach.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A140-154.)

ITEM-310: GRANTED REQUEST FOR A HEARING

SUBJECT: Request by Nathaniel L. Cohen for a hearing of an appeal from the decision of the Planning Commission in approving the request for a Mission Valley Development Permit MVPD-92-0725.

(MVPD-92-0725. Mission Valley Community Area.
District-6.)

A motion either granting or denying the request for a hearing of the appeal.

SUPPORTING INFORMATION:

The appeal is being requested for a Mission Valley Development Permit MVDP-92-0725 to construct 77 affordable housing units on 3.14 acres, on the 10400 block of San Diego Mission Road. The applicant is requesting a deviation for a portion of the front-yard setback to be 13 feet rather than the required 15 feet. In addition, the applicant is requesting an exception from the offsetting planes requirement for the facades adjacent to the interior court. The project site is located on the north side of San Diego Mission Road between Interstate 15 and Rancho Mission Road in the Mission Valley Community Planning area and is zoned MVR-2 (Residential) in the Mission Valley Planned District

Ordinance (PDO). The Planning Department recommended approval of the permit; was opposition. The Planning Commission voted 5-0 to approve the permit. The Mission Valley Unified Planning Committee has recommended approval of the permit.

FILE LOCATION: PERM - MVPD-92-0725

COUNCIL ACTION: (Tape location: A179-390.)

Motion by Stallings to grant the request for a hearing based on the need for more answers on questions concerning traffic and schools. Second by Stevens. Second withdrawn.

MOTION BY STALLINGS TO GRANT THE REQUEST FOR A HEARING BASED ON CITYWIDE SIGNIFICANCE WITH RESPECT TO TRAFFIC AND SCHOOLS. Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-nay, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-nay.

ITEM-330:

SUBJECT: Two actions related to Paradise Valley Road (Gilmartin Drive to Woodman Avenue) Underground Utility District.

(North Bay Terraces Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-672) ADOPTED AS RESOLUTION R-283257

Establishing the Paradise Valley Road (Gilmartin Drive to Woodman Avenue) Underground Utility District.

Subitem-B: (R-94-673) ADOPTED AS RESOLUTION R-283258

Authorizing the expenditure of an amount not to exceed \$25,000 from Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0, Capital Outlay 30245, for administering the underground utility district, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on Paradise Valley Road between Gilmartin Drive and Woodman Street. This is a scheduled project in the calendar year 1992 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion. Underground utility districts require only one public hearing as opposed to the two public hearings required for landscape maintenance districts and 1911 Act projects, as there are no assessments placed on benefitting parcels in underground utility districts.

Aud. Cert. 9400438.

FILE LOCATION: STRT K-219

COUNCIL ACTION: (Tape location: A392-400.)

Hearing began at 10:37 a.m. and halted at 10:38 a.m.

MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Matter of Del Mar Hills Texaco Planned Development Permit, Conditional Use Permit and Street Vacation located in the Carmel Valley Community Plan area.

(PD/CUP-92-0487 & SA. District-1.)

(Continued from the meeting of December 7, 1993, Item 331, Subitems A and C, at the City Manager's request, to have the permits presented at the same time as the street vacation.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A & B; and adopt Subitem C approving the

permits with conditions:

Subitem-A: (R-94-874 Cor.Copy) ADOPTED AS RESOLUTION
R-283259

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-92-0487 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-94-872) ADOPTED AS RESOLUTION R-283260

Adoption of a Resolution vacating Del Mar Hills Drive south of Del Mar Heights Road.

Subitem-C: (R-94-1046) GRANTED PERMITS, ADOPTED AS
RESOLUTION R-283261

Adoption of a Resolution granting or denying the permits, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

A Planned Development Permit, Conditional Use Permit and Street Vacation which proposes to remodel an existing gas and service station by adding a Food-Mart, a 500-gallon above ground propane tank and vacating the adjacent portion of Del Mar Hills Drive. The subject property is located at 3015 Del Mar Heights Road. The site is zoned EC by the Carmel Valley Planned District and is surrounded by commercial office uses to the east and south; Interstate 5 is to the west and Multi-family Residential use is located across Del Mar Heights Road to the north. The site is more particularly described as Lot 2, T.M. Subdivision Map-6214.

FILE LOCATION: Subitems A & C: PERM-CUP/CVPDP-92-0487;
Subitem B: DEED F-6184; STRT J-2798
DEEDFY94-1

COUNCIL ACTION: (Tape location: B004-009.)

Hearing began at 2:02 p.m. and halted at 2:06 p.m.

MOTION BY McCARTY TO ADOPT GRANTING THE PROJECT. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor

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Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 2:07 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B010.)